

1 BILL NO. Z-80-04-24

2 ZONING MAP ORDINANCE NO. Z-Wickman

3
4 AN ORDINANCE amending the City of
5 Fort Wayne Zoning Map No. H-11.

6
7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
8 FORT WAYNE, INDIANA:

9 SECTION 1. That the area described as follows is hereby
10 designated an M-3 District under the terms of Chapter 33, Muni-
11 cipal Code of the City of Fort Wayne, Indiana, 1974; and the
12 symbols of the City of Fort Wayne Zoning Map No. H-11, referred
13 to therein, established by Section 33-11, of said Chapter are
14 hereby changed accordingly, to-wit:

15 A part of the Southeast Quarter of the
16 Southwest Quarter of Section 16, Town-
17 ship 30 North, Range 12 East, Allen
County, Indiana, more particularly
described as follows:

18 Commencing at the South Quarter Corner
19 of Section 16, Township 30 North, Range
20 12 East, Allen County, Indiana; thence
21 West along the South line of said Section
22 16, said line also being the centerline of
a public highway know as Engle Road, a
distance of 421.50 feet to the point of
beginning; thence continuing west along
the said South line of Section 16, a dis-
tance of 200 feet; thence North 00° 07'
East a distance of 858.00 feet to a point
on the Southerly right-of-way line of the
Norfolk & Western Railway Co. (Wabash
Division); thence North 52° 44' 40" East
along the said right-of-way line a distance
of 251.66 feet; thence South 00° 07' West a
distance of 1010.35 feet to the point of
beginning, containing 4.289 acres of land
more or less.

26 Subject to a public highway upon and over the
27 South border there-of, occupied by Engle Road.

28
29 SECTION 2. That this Ordinance shall be in full force
30 and effect from and after its passage, approval by the Mayor
31 and legal publication thereof.

32 APPROVED AS TO FORM AND
LEGALITY APRIL , 1980.

John E. Hoffman
JOHN E. HOFFMAN
City Attorney

R. G. Gish
Councilman

Read the first time in full and on motion by Eisbart, seconded by Eisbart, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 4/22/80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.

ATTEST:

(SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of 19____, at the hour of _____ o'clock _____ M., E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-80-04-24

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. H-11

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

WITHDRAWN

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 22, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-04-24; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 12, 1980; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the agent representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the agent representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 12, 1980.

Certified and signed this
16th day of May 1980.

Tu. Joyce Schlatter

Joyce Schlatter
Secretary

RECEIPT

Date

1 April 19 80

No.

10943

Received From

Address

For

David L. Lupton
106 Lexington Ave.fifty ~~00~~ Dollars \$ 50.00

regarding M-2 to M-3

ACCOUNT

HOW PAID

AMT. OF
ACCOUNT

CASH

AMT. PAID

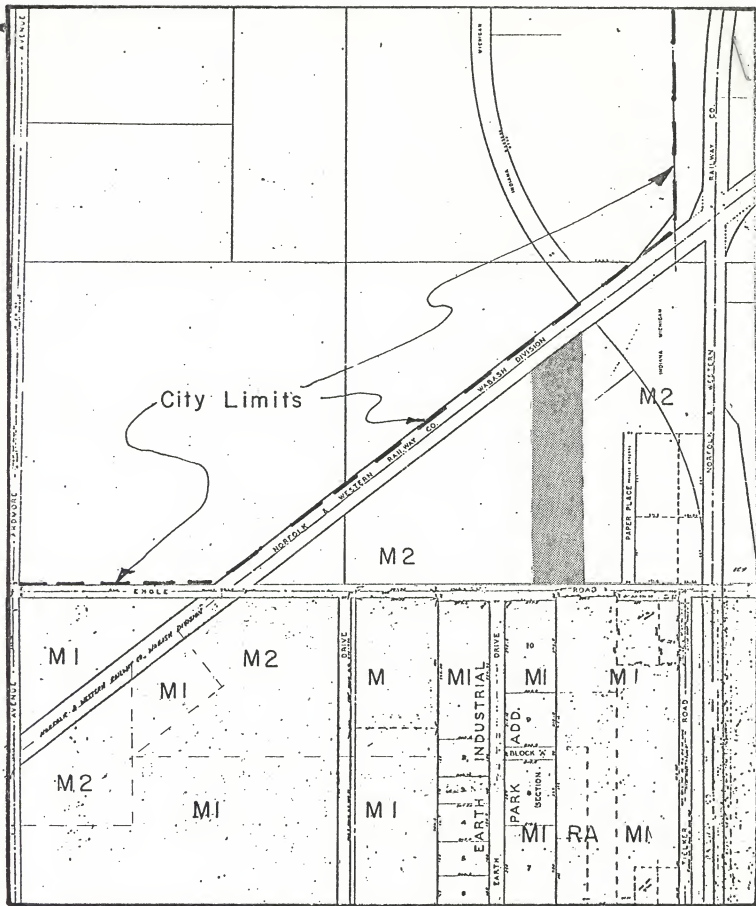
CHECK

BALANCE
DUEMONEY
ORDER

By

Pax D.

OK
2015



■ REQUEST TO REZONE FROM M2 TO M3 ZONING

Map No. H-II

Z-80-04-24



March 21, 1980

City of Fort Wayne
City Planning Commission
8th Floor
City-County Building
Fort Wayne, Indiana 46802

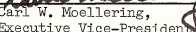
To Whom It May Concern;

The undersigned are the owners of substantially all of the property which abutts or is adjacent to the parcel of land owned by Moellering Construction Company, Inc, commonly known as 3400 Engle Road, Fort Wayne, Indiana, (legally known as: A Part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana).

The undersigned consent to the petition filed by Moellering Construction Company, Inc. to reclassify said property from an M-2 District to an M-3 District.

Sincerely,

Moellering Construction Company, Inc.



Carl W. Moellering,
Executive Vice-President

March 21, 1980

City of Fort Wayne
City Planning Commission
8th Floor
City-County Building
Fort Wayne, Indiana 46802


To Whom It May Concern;

The undersigned are the owners of substantially all of the property which abutts or is adjacent to the parcel of land owned by Moellering Construction Company, Inc, commonly known as 3400 Engle Road, Fort Wayne, Indiana, (legally known as: A Part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana).

The undersigned consent to the petition filed by Moellering Construction Company, Inc. to reclassify said property from an M-2 District to an M-3 District.

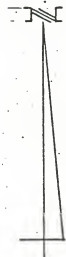
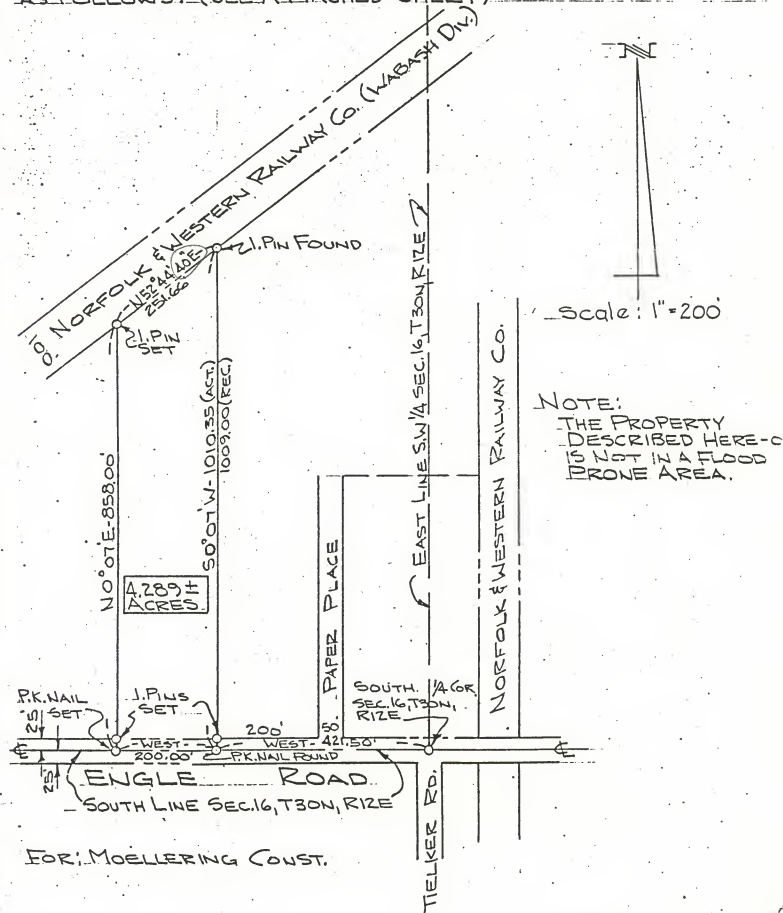
Sincerely, ,

James G. O'Rourke


David J. Norton

This document is a certificate that the undersigned Land Surveyor, registered under the laws of Indiana, has made a survey of land and real estate situated in Allen County, Indiana, in accordance with the plat thereof on file in the Office of the Recorder of said County and State. The land below described exists in full dimensions as shown herein in feet and is free from encroachments by adjoining landowners. Any exceptions or discrepancies are below not

DESCRIPTION OF PROPERTY: A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 30. NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: (SEE ATTACHED SHEET)



Scale: 1" = 200'

NOTE:
THE PROPERTY DESCRIBED HERE-ON IS NOT IN A FLOOD PRONE AREA.

FOR: MOELLERING CONST.

I hereby certify above survey to be correct.

Surveyed JAN. 12, 1980



Gaylord H. Widner
Gaylord H. Widner, Reg. No. 1019

May 14, 1980

City Planning Commission
City-County Building
One Main Street
Fort Wayne, Indiana 46802

RE: Application of Moellering Construction
Company, Inc. for zoning change on
Engle Road

Dear Commission Members:

Following our appearance at the City Planning Commission meeting on Monday, May 12, 1980, we had the opportunity to review our proposed use of the real estate on Engle Road. We have determined that the present M-2 zoning of the real estate is appropriate for the anticipated activity.

Our use of the real estate will be for the storage of finished steel being held for resale. Such use is permitted by the present zoning designation for the real estate.

Accordingly, we request that our petition for rezoning of the Engle Road real estate be withdrawn from your consideration.

Thank you for your cooperation.

Sincerely,

MOELLERING CONSTRUCTION COMPANY, INC.

By: David K. Seybert
David K. Seybert, Agent

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

I/We Moellering Construction Company, Inc.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an M-2 District to a/an M-3 District the property described as follows:


A Part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana, More Particularly Described As Follows: Commencing at the South Quarter Corner of Section 16, Township 30 North, Range 12 East, Allen County, Indiana; Thence West Along the South Line of Said Section 16, Said Line Also Being the Centerline of a Public Highway Known as Engle Road, a Distance of 421.50 Feet to the Point of Beginning; Thence Continuing West Along the Said South Line of Section 16, a Distance of 200 Feet; Thence North
(Legal Description) If additional space is needed, use reverse side.

The eastern 4.289 Acres of the 14.6 Acre tract located at 3400 Engle Road, Fort Wayne, Indiana
Original Deed #75-24504 (11-12-75)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Moellering Construction Company, Inc. 3400 Engle Road, Fort Wayne, Indiana

(Name) (Address)  (Signature)

Carl W. Moellering,
Executive Vice-President

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

David K. Seybert 1206 West Lexington Avenue, Ft. Wayne, In. 46807 office 426-0555
(Name) (Address & Zip Code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

0° 07' East a Distance of 858.00 Feet to a Point on the Southerly Right-of-Way Line of the Norfolk & Western Railway Co. (Wabash Division); Thence North 52° 44' 40" East Along the Said Right-of-Way Line a Distance of 251.66 Feet; Thence South 0° 07' West a Distance of 1010.35 Feet to the Point of Beginning, Containing 4.289 Acres of Land More or Less.

Subject to a Public Highway Upon and Over the South Border There-of, Occupied by Engle Road.


Legal Description of property to be rezoned.

A Part of the Southeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana, More Particularly Described As Follows: Commencing at the South Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana; Thence West Along the South Line of Said Section 16, Said Line Also Being the Centerline of a Public Highway Known as Engle Road, a Distance of 421.50 Feet to the Point of Beginning; Thence Continuing West Along the Said South Line of Section 16, a Distance of 200 Feet; Thence North 0° 07' East a Distance of 858.00 Feet to a Point on the Southerly Right-of-Way Line of the Norfolk & Western Railway Co. (Wabash Division); Thence North 52° 44' 40" East Along the Said Right-of-Way Line a Distance of 251.66 Feet; Thence South 0° 07' West A Distance of 1010.35 Feet to the Point of Beginning, Containing 4.289 Acres of Land More or Less.

Subject to a Public Highway Upon and Over the South Border There-of, Occupied by Engle Road.

Owners of Property

Moellering Construction Company, Inc. 3400 Engle Rd., Ft. Wayne, Indiana 46809

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
(Name)	(Address)	 (Signature) Carl W. Moellering, Executive Vice-President

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment3-80-04-24DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE The eastern 4.289 acres of the 14.6 tract located at3400 Engle Road, Fort Wayne, IN.EFFECT OF PASSAGE Property is now zoned M-2 - General Industrial. Property
will become M-3 -Heavy Industrial.EFFECT OF NON-PASSAGE Property will remain M-2 - General Industry.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.)

Resolutions



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

16 May 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-80-04-24

This ordinance was requested to be WITHDRAWN by written request of the petitioner, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION


Gary F. Baeten
Senior Planner

GFB:pb

Attachments